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# **Environmental Assessment Decision Notice**

## **Bridge Replacement, Beaver Dam Removal and Culvert Replacement Projects**

**Montana Fish, Wildlife & Parks  
Headquarters, Helena  
August 8, 2016**

### **Proposed Action**

Montana Fish, Wildlife & Parks (MFWP) has completed an Environmental Assessment (EA) for the proposed action of streamlining the existing Stream Protection Act (SPA) 124 permit process related to bridge replacement, beaver dam removal and culvert replacement projects. This Programmatic EA is intended to satisfy requirements of the Montana Environmental Policy Act (MEPA) for the installation of new or modification of existing culverts or bridges and the removal of beaver dams or beaver-created obstructions that may affect the natural existing shape and form of any stream or its banks or tributaries. These activities are regulated under section 87-5-502 et. seq. of the Montana Code Annotated (MCA), also known as the Montana Stream Protection Act (SPA) or the SPA 124 Permit Program. Authorizations issued under this statute do not relieve applicants of the responsibility to obtain other applicable permits.

### **Montana Environmental Policy Act**

The intent of the proposed action is to ensure MFWP's review of SPA permit application is completed within 30 days, and that MFWP's review meets the requirements of MEPA as well. Currently challenges between these two review processes do occur, in that a meaningful review of the project under MEPA may not be completed within the SPA 124 30-day review timeframe.

In order to reduce the potential for such conflicts, MFWP has completed an environmental review of potential impacts to the human environment by the installation of new or modification of existing culverts or bridges and the removal of beaver dams or beaver-created obstructions in this document. Typically these types of projects are proposed by the Montana Department of Transportation (MDT), US Forest Service (USFS), and in the case of beaver-related obstructions, city and county offices. Projects planned by MDT and USFS are designed to meet their respective organization's Best Management Practices (BMP) and adhere to standardized engineering designs in order to provide safe public transportation routes while minimizing impacts to water, vegetation, and wildlife resources through mitigation and design measures.

### **Summary of Public Comment and FWP Response**

The draft EA was available for a 30-day public review from November 23, 2015 through December 23, 2015. Zero public comments were received.

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## **Decision**

Based on the analysis within the EA, public comments and internal review, a Final EA has been prepared. The Decision Notice and the Final EA will serve as the final documents pertaining to this action. MFWP recognizes that there will be no significant impacts on the human and physical environments associated with this Programmatic EA and concludes that an Environmental Assessment is the appropriate level of analysis and that an Environmental Impact Statement is not required.

In consideration of these facts, it is my decision that Montana Fish, Wildlife & Parks move forward with the Programmatic EA related to bridge and culvert replacement and removal of beaver dams and beaver obstructions. This decision is made subject to the approval of the Montana Fish and Wildlife Commission.

The Final EA and Decision Notice is available at: <http://fwp.mt.gov> under public notices or can be obtained upon request from MFWP Headquarters, 1420 E. 6<sup>th</sup> Avenue, Helena, Montana 59620-0701, (406) 444-3175.



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